

Plans to meet McCleary to be revealed March 23

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A political thriller earns its debut March 23 at Olympia's marble palladium when the Legislature's leading producers-directors—Sen. Andy Hill, R-Redmond, and Rep. Ross Hunter, D-Medina—take the stage to introduce their awaited and unreviewed drama they claim will keep their fellow political thespians out of jail and solve the constitutional quandary hovering over them: full funding for basic K-12 education.

The Washington State Supreme Court is holding those political actors accountable for a solution to its mandate issued last fall in the wake of unyielding inaction by the legislative body: fund education or be sentenced for contempt.

Hunter, who serves as House Appropriations Committee chairman, said the Legislature has to fund education in a way that eliminates the state's dependence on local levies for basic education costs.

"We have about a \$2.5 billion obligation and I think we should fund it in equal annual increments," Hunter said. "While the governor's budget is clever, it's not a good strategy for implementation on the ground."

Gov. Jay Inslee rolled out his budget for the 2015-2017 biennium last December, including a \$3.6 billion education package, where he dedicates \$1.3 billion for class-size reduction in K-3 and all-day kindergarten.

Hunter says he's not fond of the governor's education proposal because it would prioritize class-size reductions in grades K-3 for low-income school districts, within the second year of this biennium and in doing so would overwhelm those schools with too many new teachers they would need to hire.

Instead, Hunter recommends a statewide class-size reduction in grades K-3, rather than a sudden reduction in class size only for low-income school districts.

"We need to phase in spending in a way that let's people hire teachers gradually so you don't wind up with a school having a huge number of new teachers at once," he said.

Hill, who leads the Senate Ways and Means Committee, agrees that the governor's education budget phases in reforms too fast.

"I would argue that funding everything today this year is a huge shock to the state budget and the school districts because they would have to hire more teachers and put in new classrooms," he said. "That's good reason why you would phase this in over the next three years."

Hill says it's difficult to pinpoint a dollar amount needed to comply with the McCleary mandate because the number fluctuates depending on the interest group you talk to and programs included in the calculation.

Each committee leader and his respective party are preparing to unveil their education budget solution March 23.

What happens if Legislature does not meet McCleary funding mandate

To meet the court-ordered mandate, the State Legislature must establish:

- Full, ample funding by 2017-2018 biennium: \$5.4 billion (addition to current budget)
- Per pupil funding: \$12,700 (an increase of \$5,400 from 2013-2014)
- Students served: 1 million

On Sept. 11, 2014 the Supreme Court unanimously found the State in contempt of its orders to meet the constitutional obligation to fully and amply fund the state's K-12 education system. The Court warned that if that failure did not end by the 2015 Legislature's adjournment it would reconvene and impose sanctions or other remedial measures. The Court did not say what those sanctions would be, but its prior order told the parties that it was considering these types of sanctions that courts across the country have employed to pressure elected officials to comply with court rulings and constitutional rights:

The court may:

1. Impose monetary or other contempt sanctions.
2. Prohibit expenditures on specific non-paramount programs until the court orders are obeyed.
3. Order specific amounts or remedies—fines, jail, others.

4. Sell surplus state property.
5. Invalidate prior education funding cuts.
6. Prohibit continued operation of an unconstitutional education system.
7. Order any other appropriate relief. . .

. . . invalidate all State tax exemptions to provide the revenue the Legislature claims it lacks, leaving legislators to re-enact whatever exemptions they want after the State amply funds its K-12 schools.

— *Network for Excellence in Washington Schools, January 2015*